

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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D.R. an infant by her Mother and  
Natural, Guardian, TOWANA  
RODRIGUEZ and TOWANA  
RODRIGUEZ, Individually,

Plaintiffs,

-against-

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 5/18/2023

**20-CV-3628 (KHP)**  
**ORDER**

SANTOS BAKERY, INC. and WILSON  
VILLATENMAZA,

Defendants.

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**KATHARINE H. PARKER, United States Magistrate Judge:**

On May 16, 2023, the Court issued an order directing the parties to file a joint letter by May 26, 2023 that provides the Court with information regarding several topics relating to the upcoming trial in this action, as specified in the order. The parties shall also include in that letter their position(s) as to whether Insurance Law § 5104 (commonly referred to as the “No-Fault Law”) applies in this case such that any recovery for non-economic loss is precluded unless Plaintiffs prove a “serious injury.” If the No-Fault Law applies in this case, the parties shall include in their joint proposed Verdict Form questions regarding whether Plaintiffs have proved a “serious injury” as defined by the applicable laws.

**SO ORDERED.**

DATED: New York, New York  
May 18, 2023

Katharine H. Parker  
KATHARINE H. PARKER  
United States Magistrate Judge